

IFW

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PATENT
Attorney Docket No.: 000001-000800US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On 6/20/2006

FOUNTAINHEAD LAW GROUP PC

By: Chad Weld

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Todd F. Mozer

Application No.: 09/875,261

Filed: June, 5 2001

For: CLIENT-SERVER SECURITY
SYSTEM AND METHOD

Confirmation No.: 4605

Examiner: Martin Lerner

Technology Center/Art Unit: 2654

PETITION TO WITHDRAW HOLDING
OF ABANDONMENT FOR FAILURE TO
RECEIVE OFFICE ACTION

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

Sir:

In response to the Notice of Abandonment mailed May 16, 2006, Applicants hereby submit this petition and respectfully request that the Abandonment be withdrawn. The Office Action leading to the Abandonment was not received. A search of the file jacket and docket records indicates that the Office Action was not received. A copy of the Notice of Abandonment is attached hereto as Exhibit A. A copy of the docket record where the non-received Office Action would have been entered had it been received is attached as Exhibit B. A copy of the Office Action envelope and first page of the Office Action were downloaded from

the PTO Public Pair website. A copy of the downloaded Office Action envelope is attached here to as Exhibit C. The envelope shows that the Office Action was "Returned to Sender" by the Post Office and received back at the PTO Mail Center on September 26, 2006. A copy of the downloaded Office Action first page is attached here to as Exhibit D. The first page of the Office Action shows a mailing date of September 19, 2005, and shows that it was received by the PTO OIPE/IAP on September 27, 2005.

In view of the foregoing, Applicants believe that Abandonment of this Application should be withdraw because the Office Action was not received.

Respectfully submitted,

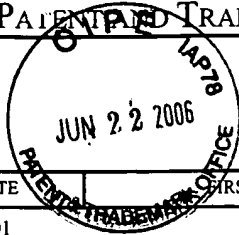


Chad R. Walsh
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UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,261	06/05/2001	Todd F. Mozer	000001-000800US	4605

7590 05/16/2006

Fountainhead Law Group
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900 Lafayette Street
Santa Clara, CA 95050

EXAMINER

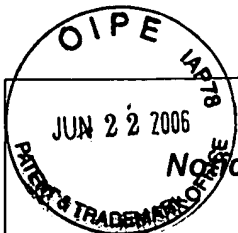
LERNER, MARTIN

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Abandonment

Application No.

09/875,261

Examiner

Martin Lerner

Applicant(s)

MOZER, TODD F.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 19 September 2005.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Martin Lerner
Examiner
Art Unit 2626

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Country Application

Monday, June 19, 2006

Page: 1

Client-Matter: 00001-0008

Country: US

SubCase: 00

Client: Sensory Incorporated

United States of America

Case Type: PRI

Application Status: Published

Application Number: 09/875,261

Filing Date: 05-Jun-2001

Publication Number: US-2002-0194003-A1

Publication Date: 19-Dec-2002

Patent Number:

Issue Date:

Parent/PCT Number:

Parent/PCT Date :

Parent Issue Number:

Parent Issue Date :

Tax Schedule: SE

Expiration Date:

Confirmation #: 4605

Patent Term Adjustment: 0

Agent:

Agent Reference #:

Family Reference:

List Of Actions

Action(s) Due	Due Date		Action Taken
Information Disclosure Stmt	05-Sep-2001	Due Date	28-Apr-2003
Foreign Filing Follow Up Date	12-Nov-2001	Due Date	12-Nov-2001
Foreign Filing Reminder	05-Dec-2001	Reminder	12-May-2001
Foreign Filing Due	05-Jun-2002	Final	12-May-2001
18 month Publication	05-Dec-2002	Due Date	19-Dec-2002
Application Status Check	05-Dec-2002	Due Date	
Publication Follow Up Date	19-Jun-2003	Due Date	19-Jun-2003
Information Dis Follow Up Date	28-Oct-2003	Due Date	28-Oct-2003
1 Month to Due Date	13-Nov-2004	Reminder	13-Dec-2004
3 Month Due Date	13-Dec-2004	Due Date	13-Dec-2004
1st Extension	13-Jan-2005	Reminder	13-Dec-2004
2nd Extension	13-Feb-2005	Reminder	13-Dec-2004
2 Weeks to Final Date	28-Feb-2005	Due Date	13-Dec-2004
6 Month Final	13-Mar-2005	Final	13-Dec-2004
1 Month to Due Date	14-Jun-2005	Reminder	08-Aug-2005
3 Month Due Date	14-Jul-2005	Due Date	08-Aug-2005
1st Extension	14-Aug-2005	Reminder	08-Aug-2005
2nd Extension	14-Sep-2005	Reminder	08-Aug-2005
2 Weeks to Final Date	29-Sep-2005	Due Date	08-Aug-2005
6 Month Final	14-Oct-2005	Final	08-Aug-2005

Created By: PatAdmin**User ID:** PatAdmin**Date Created:** 09-May-2005**Last Update:** 09-May-2005

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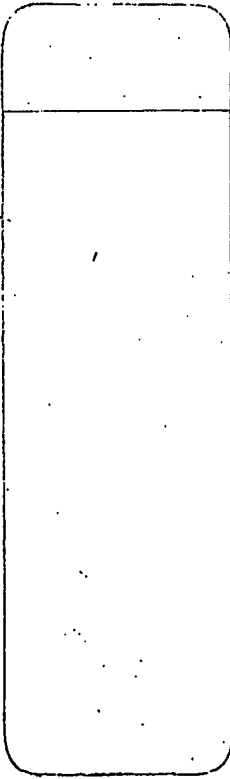
IF UNDELIVERABLE RETURN IN TEN DAYS

OFFICIAL BUSINESS

AN EQUAL OPPORTUNITY EMPLOYER



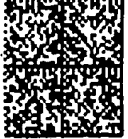
☒ NO SUCH \$
☐ ATTEMPTED - NOT KNOWN
☐ VACANT
ROUTE NUMBER 2919
INITIALS JP



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,261	06/05/2001	Todd F. Mozer	016757-000800US	4605

7590

09/19/2005

Chad Walsh, Esq.
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San Jose, CA 95129

RECEIVED
OIPE/IAP

SEP 27 2005

EXAMINER

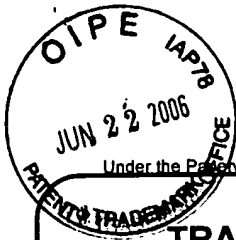
LERNER, MARTIN

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Application Number	09/875,261
Filing Date	June 5, 2001
First Named Inventor	Todd F. Mozer
Art Unit	2654
Examiner Name	Martin Lerner
Attorney Docket Number	000001-000800US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notice of Abandonment; Copy Docket Record; Copy of Office Action Envelope; Copy of first page of Office Action; and Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fountainhead Law Group P.C.		
Signature			
Printed name	Chad Walsh		
Date	6/28/2006	Reg. No.	43,235

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Chad Walsh	Date	6/28/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.